

Doc. # 4620

MEMORANDUM

June 13, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH NETTER, ASSISTANT DIRECTOR FOR LAND USE AND
ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on sixteen zoning matters have been prepared by Authority staff for transmittal to the Board of Appeal.

Referral

	<u>Approval</u>	<u>Denial</u>	<u>Recommendation</u> <u>Denial w/o</u> <u>Prejudice</u>	<u>Deferral</u>
Residential conversions	7		1	
New housing or rehabilitation	2			
Residential (building expansions, subdivisions, etc.)	1			
Parking; gas stations; repair garages	1			
Industrial; chemical storage	1			
Institutional				
Commercial; office; business	1		1	
Hotels; restaurants	1			

We recommend approval of seven residential conversions.

- Z-7714- 164 Boston and 58 Dorset Streets, Dorchester. Existing occupancy.
7715. Subdivision will allow sale of separate properties.
- Z-7716. 26 Monument Avenue, Charlestown. Three-family occupancy is compatible with residential neighborhood.
- Z-7724. 14 Monument Street, Charlestown. Four-family occupancy is compatible with character of residential neighborhood.
- Z-7725. 46 Wainwright Street, Dorchester. Occupancy existing for several years.
- Z-7726. 30 Cunningham Street, Dorchester. Occupancy existing for twelve years.

Z-7727. 57 West Cedar Street, Boston. Occupancy existing since 1964.

Z-7729. 21 Neponset Avenue, Hyde Park. Occupancy existing since 1940.

We recommend approval of two new housing referrals:

Z-7721- 44 Dow Road and 357 Baker Street, West Roxbury. Single-family
7722. dwelling is desirable use.

Z-7730. 37 Hastings Street, West Roxbury. Approval of up to twenty-two housing units with provisos in accordance with community and developer negotiations.

We recommend approval of one residential expansion referral.

Z-7809. 7 Rustlewood Road, West Roxbury. Family room addition. Violation existing. Abutters support.

We recommend approval of one parking - gas station referrals.

Z-7719. 28-52 Northern Avenue, Boston. Proviso to terminate parking for 1,531 cars at end of two years.

We recommend approval of one commercial - office referrals.

Z-7740. 556-558 Commercial Street, Boston. Proposed office use compatible with mixed commercial-residential area.

We recommend denial without prejudice of two referrals.

Z-7711. 11 Thomas Park, South Boston. Proposed number of units is excessive. Petitioner must meet with residents to resolve concerns.

Z-7772. 388 East Eight Street, South Boston. Petitioner must resolve use, parking, congestion concerns in meeting with community.

We recommend approval of one institutional referral.

Z-7750. 2599-2601 Beacon Street, Brighton. New grandstand and box seats will replace existing ones. Garage replaces surface parking. General community support.

We recommend approval of one hotel referral.

Z-7718. 340-344 Longwood Avenue. Approval of expansion of hotel and apartment units and commercial/retail and office uses with provisos regarding training and employment of Boston residents.

BOARD OF APPEAL REFERRALS

June 13, 1985

1. Z-7711 6/25/85 Anne Realty Trust
11 Thomas Park, South Boston
2. Z-7714-7715 6/25/85 Brian Gokey
164 Boston and 58 Dorset Streets, Dorchester
3. Z-7716 6/25/85 Arthur Colpack
26 Monument Avenue, Charlestown
4. Z-7718 6/25/85 Children's Medical Center Corporation
340-344 Longwood and 394-400 Brookline Avenues
Boston
5. Z-7719 6/25/85 Anthony's Pier 4 Inc.
28-52 Northern Avenue, Boston
6. Z-7721-7722 6/25/85 James P. O'Shea
44 Dow Road and 357 Baker Street, W. Roxbury
7. Z-7724 6/25/85 Murdo Margeson
14 Monument St, Charlestown
8. Z-7725 6/25/85 Francisco X. Marins
46 Wainwright Street, Dorchester
9. Z-7726 6/25/85 George A. Phillips
30 Cunningham Street, Dorchester
10. Z-7727 6/25/85 57 West Cedar Condominium Trust
57 West Cedar Street, Boston
11. Z-7729 6/25/85 Robert Monroe
21 Neponset Ave, Hyde Park
12. Z-7730 6/25/85 Boston Chataqua Properties, Inc.
37 Hastings Street, West Roxbury
13. Z-7740 6/25/85 John Altobello
556-558 Commercial Street, Boston
14. Z-7750 6/18/85 Trustees of Boston College
2599-2601 Beacon Street, Brighton
15. Z-7772 6/25/85 Samuel Dame
388 East Eighth Street, South Boston
16. Z-7809 6/25/85 Claire M. O'Connor
7 Rustlewood Road, West Roxbury

#4621

MEMORANDUM

June 13, 1984

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH NETTER, ASSISTANT DIRECTOR FOR LAND USE AND
ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 6/25/85 Z-7711
Anne Realty Trust
11 Thomas Park
South Boston

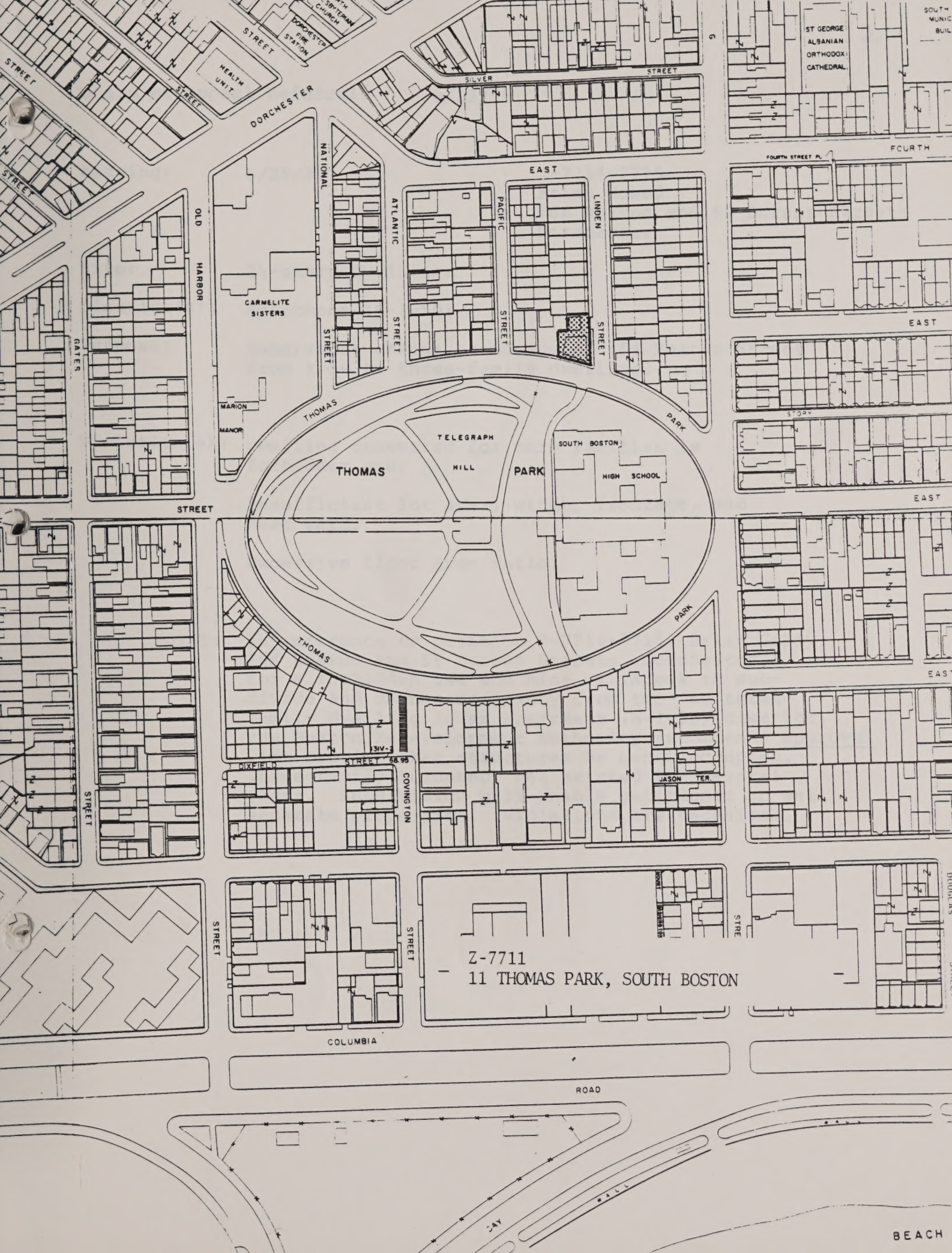
Site: 2½-story structure

District(s): Apartment (H-1-50)

Purpose: Change occupancy from lodging house to eight
apartments.

Violation(s): Dwelling converted for more families is forbidden
use.
Insufficient lot area and open space.

VOTED: In reference to petition Z-7711, Anne Realty
Trust, 11 Thomas Park, South Boston, for a
forbidden use and two variances for change of
occupancy from lodging house to eight apartments
in an apartment (H-1-50) district, the Boston
Redevelopment Authority recommends denial
without prejudice. Neighborhood concerns are:
number of units, off-street parking, and area
density. South Boston Citizen's Association
is opposed. Petitioner must meet with residents
and civic group to resolve issues.



ST GEORGE
ALBANIAN
ORTHODOX
CATHEDRAL

DORCHESTER
STREET

OLD
HARBOR

CARMELITE
SISTERS

NATIONAL
STREET

ATLANTIC
STREET

PACIFIC
STREET

EAST

LINDEN
STREET

PARK

THOMAS

TELEGRAPH

HILL

PARK

SOUTH BOSTON

HIGH SCHOOL

STREET

THOMAS

PARK

DIXFIELD
STREET

COVINGTON
STREET

JASON TER

STREET

STREET

STREET

Z-7711

11 THOMAS PARK, SOUTH BOSTON

COLUMBIA

ROAD

BEACH

Board of Appeal Referrals

6/13/85

Hearing: 6/25/85 Z-7714-7715
Brian Gokey
164 Boston and 58 Dorset Streets
Dorchester

Site: 2½-story dwellings

District(s): Apartment (H-1-50)

Purpose: Subdivide; change occupancy of 164 Boston Street
from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is
forbidden use.

Insufficient lot area, width, frontage, and
rear yard.

Excessive floor area ratio.

VOTED: In reference to petition Z-7714-7715, Brian Gokey,
164 Boston and 58 Dorset Streets, Dorchester,
for a forbidden use and nine variances to sub-
divide and change occupancy from two- to three-
family dwelling in an apartment (H-1-50) district,
the Boston Redevelopment Authority recommends approval
with proviso that structures be owner-occupied.
Three-family occupancy has existed for several
years. Subdivision will enable petitioner to sell
separate properties. Violations are technical.



Z-7714-7715
164 BOSTON & 58 DORSET, DORCHESTER

Board of Appeal Referrals

6/13/85

Hearing: 6/25/85 Z-7716
Arthur Colpack
26 Monument Avenue
Charlestown

Site: Four-story structure

District(s): Apartment (H-1)

Purpose: Legalize occupancy as three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.
Insuffiecient lot area and open space.
Excessive floor area ratio.

VOTED: In reference to petition Z-7716, Arthur Colpack, 26 Monument Avenue, Charlestown, for a forbidden use and two variances to legalize occupancy as three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. There is no record of legal occupancy. Existing three-family dwelling is compatible with residential neighborhood.



Z-7716
26 MONUMENT AVE., CHARLESTOWN

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7718
Children's Medical Center Corporation
340-344 Longwood and 394-400
Brookline Avenues
Boston

Site: Hospital complex

District(s): General business (B-4)

Purpose: Change occupancy from 154 apartments, 82-unit motel, 22-unit dormitory, day care nursery, meeting rooms, garage, swimming pool, administrative offices, and restaurant to 158 apartments, 164-room hotel, commercial, retail, take-out restaurant; erect three two-story additions.

Violation(s): Take-out restaurant and dwelling converted for more families are conditional uses.
Excessive floor area ratio.
Insufficient open space, rear yard, setback of parapet and off street parking.

VOTED: In reference to petition Z-7718, Children's Medical Center Corporation, 340-344 Longwood and 394-400 Brookline Avenues, Boston, for two conditional uses and five variances for change of occupancy from 154 apartments, 82-unit motel, dormitory, day care nursery, meeting rooms, garage, swimming pool, offices and restaurant to 158 apartments, 164-room hotel, commercial, retail, and take-out restaurant and to erect three two-story additions in a general business (B-4) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans be submitted to the Authority for design review approval; that developers agree to coordinate with MASCO the adoption of an employment plan for the training and hiring of Boston residents. MASCO is currently working with the Authority on training and employment opportunities for Boston residents within the Longwood Medical Area. The proposed 95,000-square-foot expansion will represent approximately a 40 % increase in space, providing in approximate equal parts office, retail, and hotel facilities in addition to an increase in parking from 128 to 205 spaces through the use of a valet system. The hotel will add approximately 60 rooms to the 80 currently existing. Approximately ten new doctor's offices will be added and the balance of office space utilized by Children's or existing tenants. A new retail complex of services and food vendors, some of whom currently sell from trucks illegally parked on Longwood Avenue, will provide needed local commercial space. The complex will serve institutional area employees and will not impact vehicular traffic. The project was presented by MASCO to a community meeting June 11. Concerns raised at this meeting related to downwash, the need for filing of environmental notification, and the impact of the Authority-voted deferral for institutional expansion projects. The proposed commercial project is fully taxable and therefore is not covered by the Authority-established deferral on approving institutional development projects until a report establishing an advisory committee is presented to the Authority. Furthermore the scale of this project is below any thresholds that would require state environmental action.

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7719
Anthony's Pier 4 Inc.
28-52 Northern Avenue
Boston

Site: Parking lot

District(s): Waterfront (W-2)

Purpose: Increase capacity of parking lot from 1031 to
1531 cars.

Violation(s): Accessory to use on another lot.

Parking lot is conditional use.

VOTED: In reference to petition Z-7719, Anthony's Pier
4 Inc., 28-52 Northern Avenue, Boston, for a
conditional use to increase capacity of parking
lot from 1031 to 1531 cars in a waterfront
(W-2) district, the Boston Redevelopment Authority
recommends approval. Availability of increased
parking will alleviate congestion on neighboring
streets.



Z-7719

— 28-52 NORTHERN AVE., BOSTON

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7721-7722
James P. O'Shea
44 Dow Road and 357 Baker Street
West Roxbury

Site: 2½-story structure

District(s): Single-family (S-.5)

Purpose: Subdivide; erect one-family dwelling (44 Dow Road);
Occupancy as one-family dwelling (357 Baker Street).

Violation(s): Insufficient lot area and rear yard.

VOTED: In reference to petitions Z-7721-7722, James P. O'Shea, 44 Dow Road and 357 Baker Street, West Roxbury, for three variances to subdivide, erect one-family dwelling, and legalize occupancy as one-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Single-family dwelling is desirable use. Each property will have adequate rear yard.



Z-7721-7722
44 DOW ROAD & 357 BAKER ST.,
WEST ROXBURY

Board of Appeal Referrals

6/13/85

Hearing: 6/25/85 Z-7724
Murdo Margeson
14 Monument Street
Charlestown

Site: Three-story structure

District(s): Apartment (H-1)

Purpose: Legalize occupancy as four apartments.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-7724, Murdo Margeson, 14 Monument Street, Charlestown, for a forbidden use and three variances to legalize occupancy for four apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. There is no record of legal occupancy. Proposal is compatible with character of residential neighborhood.



Z-7724

14 MONUMENT ST., CHARLESTOWN

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7725
Francisco X. Martins
46 Wainwright Street
Dorchester

Site: Three-story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

VOTED: In reference to petition Z-7725, Francisco X. Martins, 46 Wainwright Street, Dorchester, for a forbidden use and two variances for change of occupancy from two- to three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Three-family occupancy existed at time of purchase approximately six years ago. Petition remedies condition.



Z-7725

46 WAINWRIGHT ST., DORCHESTER

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7726
George A. Phillips
30 Cunningham Street
Dorchester

Site: Three-story structure

District(s): Apartment (H-1)

Purpose: Legalize occupancy as three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area.

VOTED: In reference to petition Z-7726, George A. Phillips, 30 Cunningham Street, Dorchester, for a forbidden use and a variance to legalize occupancy as three-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Occupancy has existed for twelve years.



Z-7726

30 CUNNINGHAM ST., DORCHESTER

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7727
57 West Cedar Condominium Trust
57 West Cedar Street
Boston

Site: Five-story structure

District(s): Apartment (H-2-65)

Purpose: Change occupancy from 11 to 12 apartments;
erect roof deck.

Violation(s): Dwelling converted for more families is forbidden use.

Excessive floor area ratio.

Insufficient open space.

VOTED: In reference to petition Z-7727, 57 West Cedar Condominium Trust, 57 West Cedar Street, Boston, for a forbidden use and two variances for change of occupancy from 11 to 12 apartments and erect roof deck in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Occupancy has existed since 1964.



Z-7727
57 WEST CEDAR ST., BOSTON

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7729
Robert Monroe
21 Neponset Avenue
Hyde Park

Site: 2½-story structure

District(s): Single-family (S-.5)

Purpose: Legalize occupancy as two-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and front and side yards.

VOTED: In reference to petition Z-7729, Robert Monroe, 21 Neponset Avenue, Hyde Park, for a forbidden use and three variances to legalize occupancy as two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval Two-family occupancy existing since 1940.



Z-7729
21 NEPONSET AVE., HYDE PARK

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7730
Boston Chataqua Properties, Inc
37 Hastings Street
West Roxbury

Site: City of Boston Cannon School

District(s): Single family (S-.5)

Purpose: Erect 2½-story 26-unit apartment structure.

Violation(s): Multifamily dwelling is forbidden use.

Parking not allowed within required front yard
nor within five feet of side lot line.

Insufficient lot area and front yard.

Excessive floor area ratio and building height.

VOTED: In reference to petition Z-7730, Boston Chataqua Properties, Inc., 37 Hastings Street, West Roxbury, for a forbidden use and five variances to erect 2½-story 26-unit apartment structure in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the development be reduced to a maximum of twelve two-bedroom units and ten one-bedroom units, totaling twenty-two units; that plans, inclusive of landscaping, building materials, paving materials, parking design, lighting, and fencing be submitted to the Authority for design review approval; that the civic association and developer jointly request the Traffic and Parking Commissioner to open Hastings Street between site and Centre Street to two-way traffic to lessen vehicular impact on the general area; that the developer voluntarily contribute funds for community amenities, the amount and uses to be determined jointly by developer and civic association prior to signing of Board of Appeal decision; that attached agreement be made part of Board of Appeal decision. Intensive negotiations have occurred over the last 2½ years for development of City of Boston Cannon School site.

A G R E E M E N T

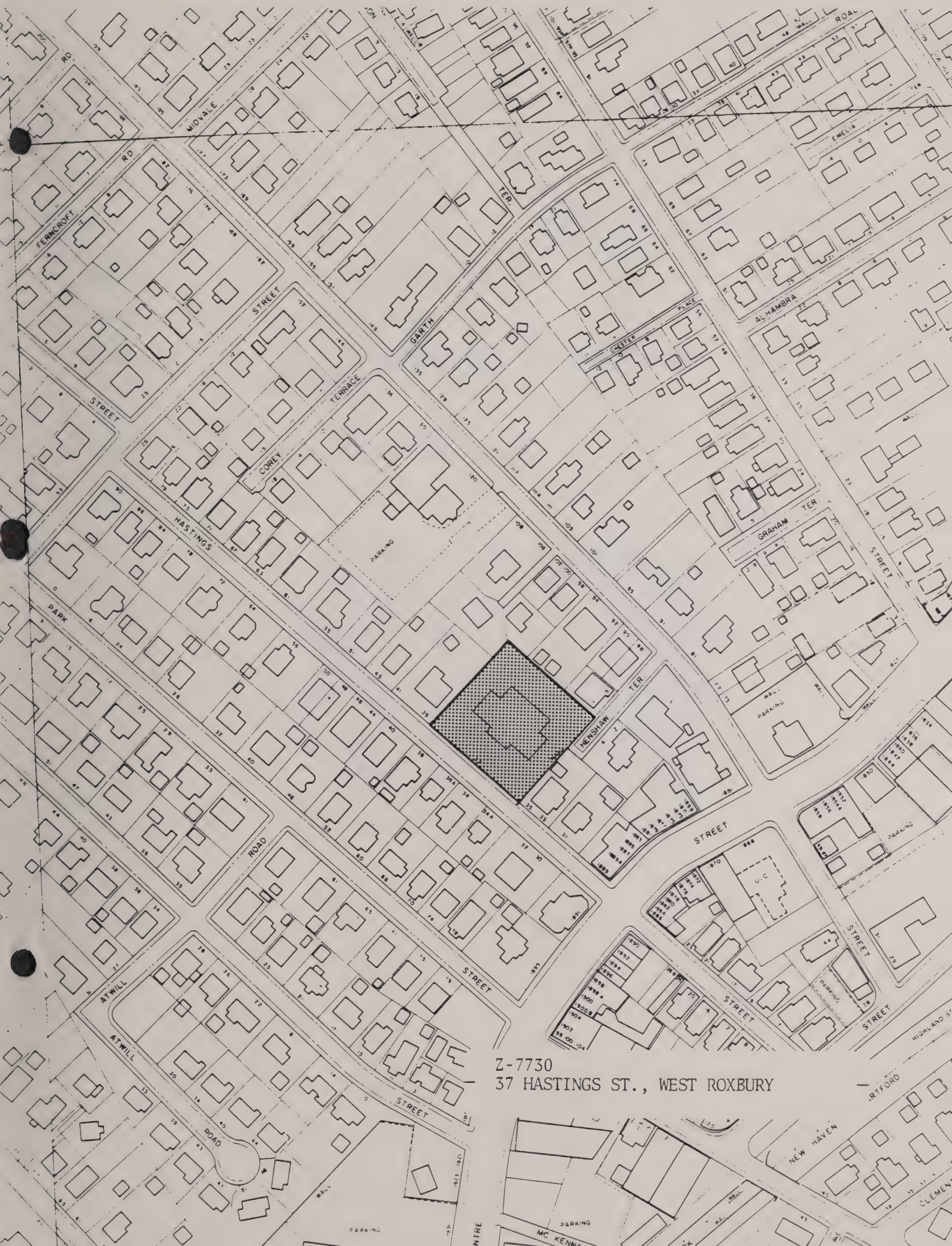
We, the undersigned, support the development at the Cannon School site in consideration of the following items:

1. Approval of design development and working drawings by the Highland Neighborhood Association
2. One deeded parking space will be included per bedroom for a combination of full size and compact size cars totalling 38 deeded spaces, (in addition, four visitor parking spaces will be provided
3. The retaining wall on Henshaw Terrace shall be repaired.
4. Construction activity, excluding emergencies, shall be between the hours of 7:30 a.m. and 4:00 p.m., Monday through Saturday. A security guard shall monitor the premises from 4:00 p.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 9:00 p.m. Saturday and Sunday. Guards will not have guns or dogs. The construction site shall be fenced. Construction activity shall not block traffic on Hastings Street.
5. A wood fence shall be provided on the Sherr/Hertzig and Tsang sides of the site. The O'Leary's have an option of having a wood fence as well.
6. Plantings on the Hertzig/Sherr side of the site shall be supplied by the developer. The size and quantity of these plants shall be agreed upon prior to design development.
7. The developer will continue to discuss design solutions to keep the height in scale with the Hertzig/Sherr property and reduce the impact of the shadow cast on the Hertzig/Sherr property. (The building as now proposed will stand 37' abovegrade and will cast partial shadow on their building for 2-3 hours per morning for about eight weeks of the year during the winter.)
8. A "Great Hall" shall not be included in the project.
9. The design shall encourage rear door entry by excluding vehicular access to the front.
10. The Condominium Documents shall be written to discourage condominium owners from keeping dogs.
11. Hastings Street residents shall be given the option to buy units at 10% off of the sales price. In order to take advantage of this discount, the residents must enter into an agreement with Boston Chataqua Properties prior to the beginning of marketing, and a deposit shall be required.

For the Developer:

E. Denis Walsh, President
Boston Chatauqua Properties, Inc.

For the Highland Neighborhood Association Sub-Committee



Z-7730
37 HASTINGS ST., WEST ROXBURY

Board of Appeal Referrals 6/13/85

Hearing: 6/25/85 Z-7740
John Altobello
556-558 Commercial Street
Boston

Site: Four-story structure

District(s): Apartment (H-3)

Purpose: Change occupancy from four apartments to three
apartments and office.

Violation(s): Office is forbidden use.

VOTED: In reference to petition Z-7740, John Altobello, 556-558 Commercial Street, Boston for a forbidden use for change of occupancy from four apartments to three apartments and office in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the office use be limited to professional persons, use item #39; that plans be submitted to the Authority for design review approval. Area is mixed commercial-residential. Building was designed and formerly occupied by commercial use at street level.

C H A



Z-7740
556-558 COMMERCIAL ST., BOSTON

Board of Appeal Referrals 6/6/85 - tabled
 6/13/85 - resubmitted

Hearing: 6/18/85 Z-7750
 Trustees of Boston College
 2599-2601 Beacon Street
 Brighton

Site: College complex

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from garage to parking facility,
 grandstand, stadium; erect three-story addition to
 parking facility; erect 7480 grandstand seats
 and 320 box seats on roof of parking facility.

Violation(s): Alteration of conditional use.
 University uses are conditional.
 Alteration of nonconforming structure.
 Insufficient side yard. Excessive height of structure.
 Variance with previous Board of Appeal decision.
 Parking facility within 25 feet of lot line.
 Parking garage is forbidden use.

New grandstand and box seats will replace existing seating; garage will replace surface parking. Garage has general support of community, which has extensively reviewed project.

VOTED: In reference to petition Z-7750, Trustees of Boston College, 2599-2601 Beacon Street, Brighton, for one forbidden use, three conditional uses and three variances for change of occupancy from garage to parking facility, grandstand, stadium, erect 7480 grandstand seats and 320 box seats addition to parking facility in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that garage, stadium, and landscaping plans be submitted to the Authority for design review approval, that within the next sixty days petitioner submit to the Authority location and development schedule for housing and recreational facilities, a traffic study report indicating additional parking needs and intersection improvements, a progress report of meetings with Allston-Brighton community concerning adoption of programs which will serve and benefit the area, and submission of a proposal for payment in-Lieu-of taxes with the City of Boston covering a campus wide contribution for the cost of various city services of which such agreement will further incorporate the cost impacts of future development in accordance with the master plan to be submitted.

The stadium/garage plans were recently presented to the community at a public meeting sponsored in Allston by The Institutional Expansion Board. A number of concerns were raised about future development of recreation and dormitory facilities. There was no major opposition to the stadium/garage project.



BRIGHTON

Board of Appeal Referrals

6/13/85

Hearing: 6/25/85 Z-7772
Samuel Dame
388 East Eighth Street
South Boston

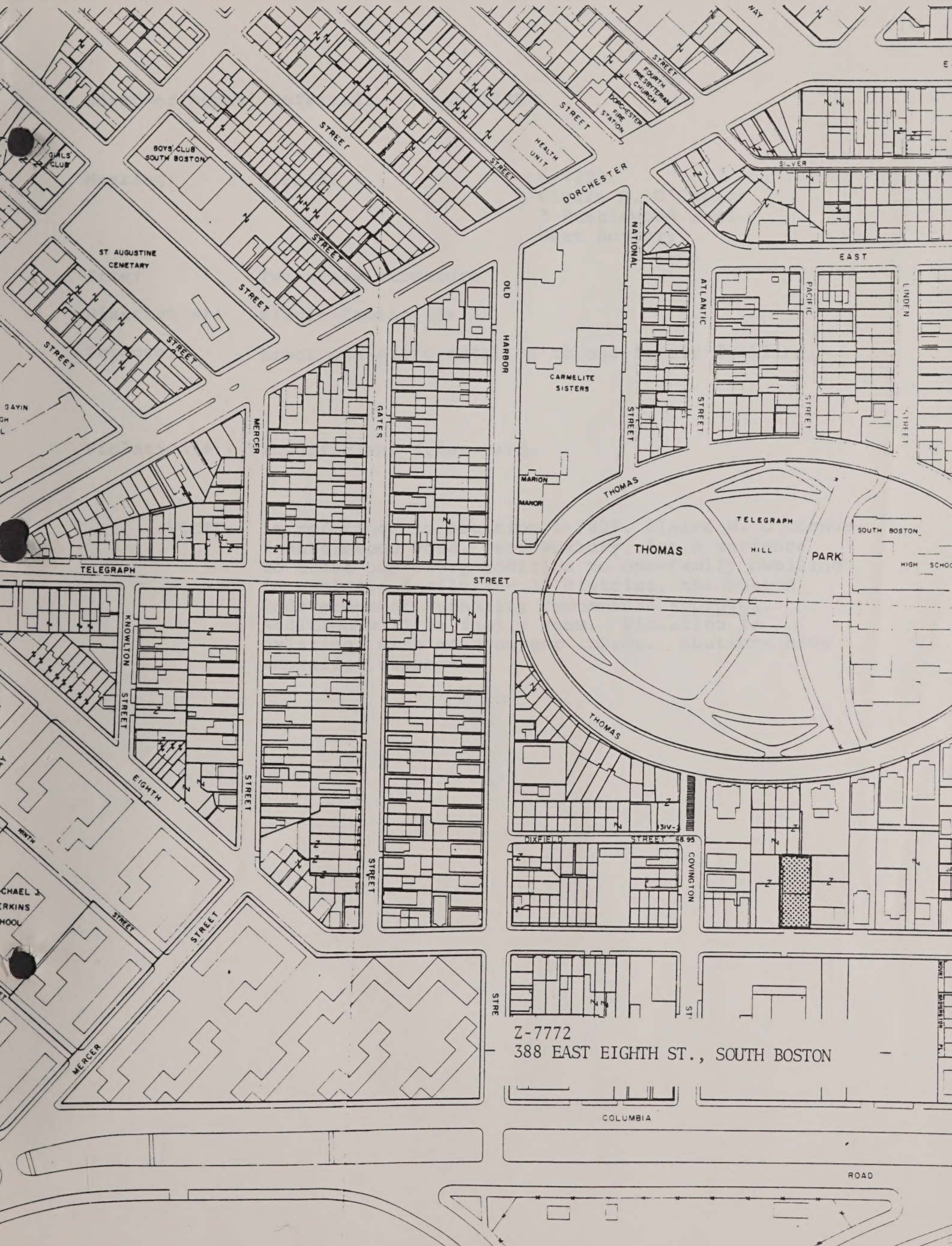
Site: Two-story structure

District(s): Apartment (H-1-50)

Purpose: Change occupancy from agency offices and display storage to general offices and accessory and general storage.

Violation(s): Change in nonconforming use.

VOTED: In reference to petition Z-7772, Samuel Dame, 388 East Eighth Street, South Boston, for change in nonconforming use for change of occupancy from agency offices and display storage to general offices and accessory and general storage in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial without prejudice. Petitioner must meet with residents and South Boston Citizens' Association to address and resolve use, parking, and congestion problems.



Z-7772
388 EAST EIGHTH ST., SOUTH BOSTON

Hearing: 6/25/85

16
Z-7809
Claire M. O'Connor
7 Rustlewood Road
West Roxbury

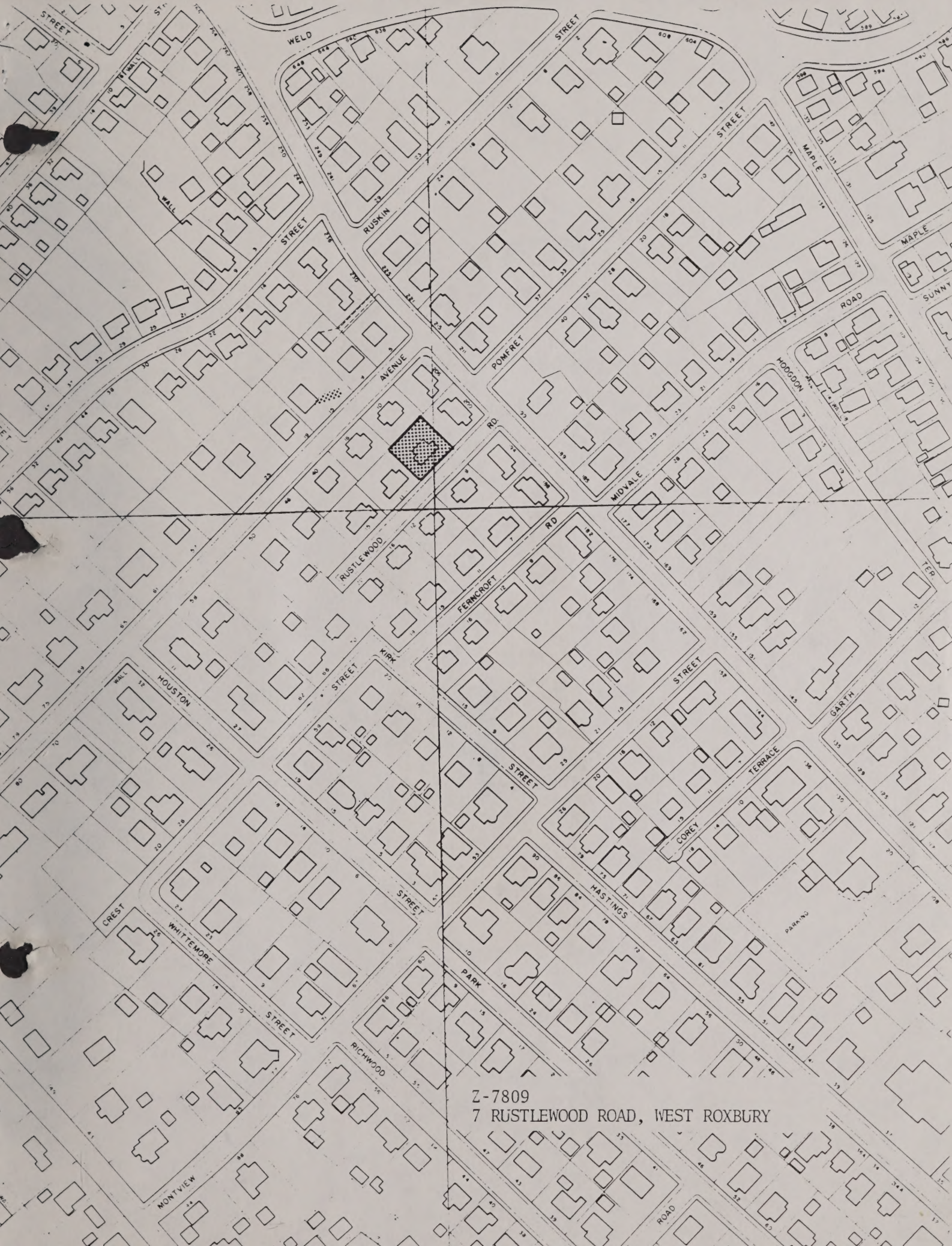
Site: Two-story structure

District(s): Single-family (S-.3)

Purpose: Erect one-story addition to one-family dwelling.

Violation(s): Insufficient front yard.

VOTED: In reference to petition Z-7809, Claire M. O'Connor, 7 Rustlewood Road, West Roxbury, for a variance to erect one-story addition to one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval. Addition will be family room. Violation is existing, with no apparent impact. Abutters have expressed support.



Z-7809

7 RUSTLEWOOD ROAD, WEST ROXBURY

